

**MOORE COUNTY PLANNING BOARD
REGULAR MEETING
THURSDAY, FEBRUARY 5, 2015, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd Floor**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD

Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of December 4, 2014
- C. Consideration of Abstentions

III. PUBLIC HEARING

1. Genette Gibson is requesting a General Use Rezoning of ParID# 00017206, owned by Tate Rental Properties as identified in Moore County tax records; the parcel is approximately 0.82 acres (approximately 35,439 square feet). The parcel is located at 5675 NC Highway 211. The request is to rezone the entire property from Highway Commercial (B-2) to Residential and Agriculture (RA-40).
2. Yolanda Moore is requesting a General Use Rezoning of ParID# 00034081, owned by Wells Fargo Bank as identified in Moore County tax records; the parcel is approximately 0.45 acres (approximately 19,910 square feet). The parcel is located at 28 Youngs Road. The request is to rezone the entire property from Highway Commercial (B-2) to Rural Equestrian (RE).

IV. OTHER BOARD MATTERS

1. Moore County Open Space Plan Discussion

V. PLANNING DEPARTMENT REPORTS

VI. BOARD COMMENT PERIOD

VII. UPCOMING EVENTS

- Tuesday, February 3, 2015 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- Tuesday, February 17, 2015 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage.
- Thursday, March 5, 2015 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage

VIII. ADJOURNMENT

Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is give to the County.

Please see attached procedures for the Public Comment Period and public commend during Public Hearings

PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 1. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 1. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 2. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 3. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 4. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 5. Any applause will be held until the end of the Public Comment Period.*
- 6. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 7. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 8. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board

**MOORE COUNTY PLANNING BOARD
PUBLIC HEARINGS PROCEDURES**

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY DECEMBER 4, 2014, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Buck Mims (Chair), Molly Boggis, Aaron McNeill, Eli Schilling, Scott McLeod, Eddie Nobles

Board Members Absent: Robert Hayter, Gene Horne, Rich Smith

Staff Present: Debra Ensminger, Planning Director
Theresa Thompson, Planner
Brian Godfrey, Assistant County Attorney
Lydia Cleveland, Administrative Officer II

Press Representatives: Greg Hankins

CALL TO ORDER

Planning Board Chairman Buck Mims called the meeting to order at 6:00 PM.

INVOCATION

Board Member Eddie Nobles offered the invocation.

MISSION STATEMENT

Board Member Scott McLeod read the Moore County Mission Statement.

INTRODUCTION

Planning Director, Debra Ensminger introduced Brian Godfrey, an Assistant County Attorney that was present in place of Brenda White.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of November 6, 2014
- C. Consideration of Abstentions

Board Member Molly Boggis motioned to approve the Consent Agenda and the motion was seconded by Board Member McLeod. The motion passed unanimously (6-0).

PUBLIC HEARING(s)

Chairman Mims opened public hearing #1

1. Applicant, Mr. Clyde Holt, III of Smith Moore Leatherwood, LLP is proposing the following amendments to the Moore County Unified Development Ordinance:

- ***Article 9 (Specific Use Standards), Section 9.3 (Commercial Uses), Sub-Section 9.3.27 (Solar Collector Facility):
Allow solar collector facilities to be located a distance greater than three (3) miles from an electrical substation if a licensed North Carolina Engineer establishes that voltage regulators or other devices are present allowing safe, efficient transmission of power over a greater distance.***

Planner, Theresa Thompson explained that the intent of the text amendment submitted by Mr. Clyde Holt was to allow potential solar collector facility sites the ability to examine sites outside of the 3 mile radius. Ms. Thompson researched 15 other county and municipal ordinances and did not find restrictions similar to Moore County rather there were no buffer requirements. Ms. Thompson concluded her presentation and allowed the Planning Board to review a letter written by an electrical engineer and supplied by the applicant.

Board Member Molly Boggis asked how the proposed change may impact developed areas. Ms. Thompson explained that this change will allow companies to review outside of the 3 mile radius and it will not impact existing facilities.

Chairman Mims explained that the 3 mile radius was chosen because this distance was determined to be the maximum distance that would still allow efficient transmission. Board Member McLeod also stated that the 3 mile radius gives the public some idea of feasibility, because there is a point where the efficiency declines.

Chris Sanderford, the engineer representative of the applicant explained that there would be a maximum distance under extreme situations. Mr. Sanderford further explained that most of the time there would be load on the line using the energy supplied. Furthermore the Utility would design the facility based on the extreme circumstances.

Board Member McLeod asked if utilities have a standard for distance. Mr. Sanderford stated that the standard they go by is a voltage regulation set up by the Utilities Commission. This standard is typically set to supply the current voltage +/- 5%.

Applicant Clyde Holt stated that there is no finite distance for safety and efficiency and 3 miles is an arbitrary number. Furthermore Mr. Holt explained the text change is not intended to rewrite the approach, it will just allow each application to be reviewed on a case by case basis.

Board Member McLeod asked if there is a formal agreement between the alternative energy source and the energy provider. Mr. Holt stated yes there is a formal agreement. Board Member McLeod asked if Mr. Holt's client has completed this agreement, and Mr. Holt explained that it is in process. Board Member McLeod asked in the unlikely event there is a problem, where would the liability fall?

Mr. Sanderford explained in the unlikely event a Viper Switch that is installed would detect the issue and shut off all problems. Board Member McLeod asked if this device is mandated and Mr. Sanderford stated the utility company installs the device.

Chairman Mims asked if there were any further questions.

Chairman Mims stated that the only concern he had regarding the recommended change was the reference to a "licensed North Carolina Engineer" and that he would recommend a "independent engineer".

Chairman Mims asked Ms. Ensminger if there was an engineer on staff and Ms. Ensminger stated "No".

Board Member McLeod asked Chairman Mims if he thinks that the cost of engineer should be covered by the applicant and Chairman Mims stated "yes".

Mr. Sanderford asked if in respect to the licensed engineer if it would be acceptable for the utilities to use their licensed engineer.

Board Member McLeod made a motion to adopt the Moore County Planning Board Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Boggis, and the motion unanimously passed (6-0).

Board Member McLeod made a motion to recommend the Moore County Board of Commissioners amend the Moore County Unified Development Ordinance with the following change to the text. *Facilities shall be restricted to locations within three (3) miles from an existing or proposed electrical substation that can accommodate the proposed electrical production unless certification by a utility supplied engineer, from the utility with which the applicant has an interconnection agreement establishes that voltage regulators or other devices are present allowing safe, efficient transmission of power over a greater distance;* and that the proposed amendment is consistent with the adopted 2013 Land Use Plan. The motion was seconded by Board Member Aaron McNeill, and the motion unanimously passed (6-0).

Chairman Mims closed public hearing #1

OTHER BOARD MATTERS

Chairman Mims asked the Board if there was a recommendation for a Vice Chairman. Board Member McLeod recommended Board Member McNeill; the motion was seconded by Board Member Nobles, and the motion unanimously passed. (6-0)

PLANNING DEPARTMENT REPORTS

Planning Director Debra Ensminger welcomed Eddie Nobles back and wished the Board a Merry Christmas.

BOARD COMMENT PERIOD

Chairman Mims also welcomed Eddie Nobles back and congratulated Board Member McNeill to Vice Chairman.

ADJOURNMENT

With no further comments Chairman Mims adjourned the regular meeting of the Moore County Planning Board.

Respectfully submitted by,

Lydia Cleveland
Administrative Officer II

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Community Development Director

DATE: January 9, 2015

SUBJECT: Rezoning Request: Highway Business (B-2) to
Residential and Agriculture (RA-40)

PRESENTER: Theresa Thompson

REQUEST:

Genette Gibson is requesting a General Use Rezoning of ParID# 00017206, owned by Tate Rental Properties as identified in Moore County tax records; the parcel is approximately 0.82 acres (approximately 35,439 square feet). The parcel is located at 5675 NC Highway 211. The request is to rezone the entire property from Highway Commercial (B-2) to Residential and Agriculture (RA-40).

BACKGROUND:

- The property is currently being rented by the applicant as a single family dwelling unit. The existing house was built in 1920 and the use existed prior to the adoption of zoning for this property. The applicant states that she has rented the house since 2009 and states that she is under contract to purchase the home but her bank will not issue a mortgage for property zoned Commercial.
- The property was originally zoned Highway Commercial (B-2) in June 1, 1991. The owner of the property, Russell Tate, states the use has remained a residence though a prior owner sold small flags from his home approximately 20 years ago which may explain the commercial zoning.
- There are five adjacent properties. The land uses of one of the adjacent properties is a veterinarian hospital called the Animal Health Center (also owned by Tate Rental Properties). The four other adjacent properties are single family residential.
- The surrounding zoning districts include a mixture of B-2, RA-20, and RA-40. The properties abutting the parcel are zoned RA-40.

STAFF REVIEW COMMENTS:

- The property is currently not served by public water or public sewer.
- The property is located within the Urban-Village Highway Corridor Overlay District.
- The property is not within five miles of a Federal Military Installation.

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN:

A draft Planning Board Consistency Statement is included for the Board's review and consideration.

"Genette Gibson Rezoning – ParID# 00017206" General Use Rezoning - Staff Report

RECOMMENDATION:

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Planning Board Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

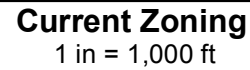
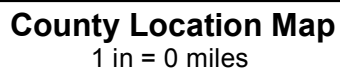
Motion #2: Make a motion to endorse the Moore County Board of Commissioners to approve/deny the general use rezoning of the parcel known as ParID# 00017206 as identified in Moore County tax records from Highway Commercial (B-2) to Residential and Agriculture (RA-40) as proposed.

ATTACHMENTS:

Vicinity Map

DRAFT Planning Board Consistency Statement

PICTURES OF PROPERTY:



Vicinity Map
Owner: Tate Rental Properties
Applicant: Genette Gibson
General Use Rezoning
ParlD 00017206

Legend

B-1	PUD/CUD	RA-40
B-1-CUD	PUD-H	R-MH
B-2	RA	RA-CUD
GC-SL	RA-2	RA-USB
GC-WL	RA-2-CUD	RE
I	RA-5	VB
P-C	RA-20	VB-CUD

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GIS is based on North Carolina State Plane Coordinate System NAD83 feet.

DRAFT
Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning from Highway Commercial (B-2)
to Rural and Agricultural (RA-40)
ParID: 00017206

The Moore County Planning Board recommends approval of the request by Genette Gibson for a General Use Rezoning of +/-0.82 acres of the parcel known as ParID# 00017206 as identified in Moore County tax records from Highway Commercial (B-2) to Rural and Agricultural (RA-40) and advises that it is consistent with the following goals in the 2013 Moore County Land Use Plan.

Goal 3: Optimize the Uses of Land Within the County of Moore.

- Recommendation 3.1: Maximize accessibility among living, working, and shopping areas.
 - Action 3.1.1: Adopt policies that encourage development of mixed land uses, as appropriate, to provide easy access, reduce travel time, and improve convenience among uses surrounding the County's established towns and villages.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.
 - Action 3.4.2: Encourage mixed-use developments along existing and planned infrastructure to reduce transportation needs.
- Recommendation 3.6: Provide for the orderly development of major transportation routes such that disruption of free flow of traffic on major arteries is minimized.
 - Action 3.6.1: Minimize commercial strip development characterized by numerous driveway access points and disconnected uses.

Buck Mims, Chair
Moore County Planning Board

Date

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Community Development Director

DATE: January 9, 2015

SUBJECT: Rezoning Request: Highway Business (B-2) to
Rural Equestrian (RE)

PRESENTER: Theresa Thompson

REQUEST:

Yolanda Moore is requesting a General Use Rezoning of ParID# 00034081, owned by Wells Fargo Bank as identified in Moore County tax records; the parcel is approximately 0.45 acres (approximately 19,910 square feet). The parcel is located at 28 Youngs Road. The request is to rezone the entire property from Highway Commercial (B-2) to Rural Equestrian (RE).

BACKGROUND:

- The property is currently vacant. The existing house was built in 1960 and the use existed prior to the adoption of zoning for this property. The applicant states she is under contract to purchase the home though her bank will not issue a mortgage for property zoned Commercial.
- There are four adjacent properties. The land uses include two vacant parcels, a single family dwelling unit, and a business named K2 Solutions (DOD contractor).
- The surrounding zoning districts include B-2, RE, and Heavy Commercial (Vass Zoning).

STAFF REVIEW COMMENTS:

- The property is currently served by public water but not served by public sewer.
- The property is located within the Urban Transition Highway Corridor Overlay District.
- The property is located within five miles of a Federal Military Installation.

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN:

A draft Planning Board Consistency Statement is included for the Board's review and consideration.

RECOMMENDATION:

Staff recommends the Moore County Planning Board make two separate motions:

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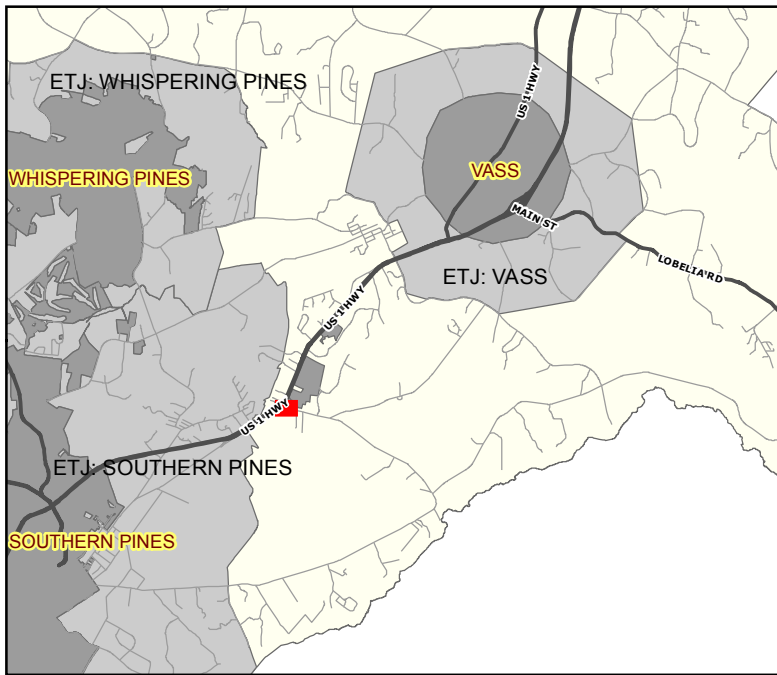
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ATTACHMENTS:

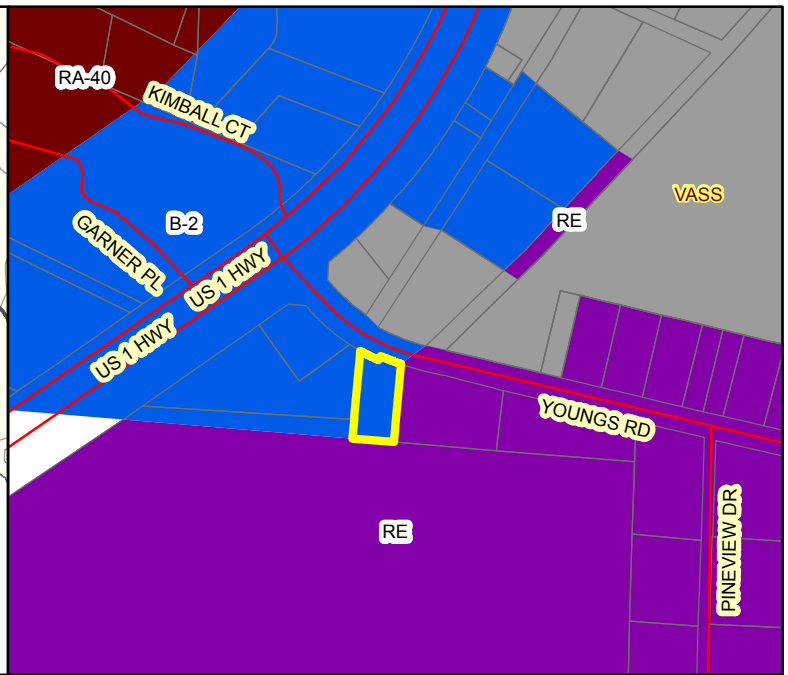
Vicinity Map

DRAFT Planning Board Consistency Statement

PICTURE OF PROPERTY:



County Location Map
1 in = 3 miles



Current Zoning
1 in = 461 ft



Aerial Photography 2010
1 in = 125 ft



Vicinity Map Owner: Wells Fargo Bank Applicant: Yolanda Moore General Use Rezoning

ParID 00034081

Legend

B-1	PUD/CUD	RA-40
B-1-CUD	PUD-H	R-MH
B-2	RA	RA-CUD
GC-SL	RA-2	RA-USB
GC-WL	RA-2-CUD	RE
I	RA-5	VB
P-C	RA-20	VB-CUD

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Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

DRAFT
Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning from Highway Commercial (B-2)
to Rural Equestrian (RE)
ParID: 00034081

The Moore County Planning Board recommends approval of the request by Genette Gibson for a General Use Rezoning of +/-0.45 acres of the parcel known as ParID# 00034081 as identified in Moore County tax records from Highway Commercial (B-2) to Rural Equestrian (RE) and advises that it is consistent with the following goals in the 2013 Moore County Land Use Plan.

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- Recommendation 3.1: Maximize accessibility among living, working, and shopping areas.
 - Action 3.1.1: Adopt policies that encourage development of mixed land uses, as appropriate, to provide easy access, reduce travel time, and improve convenience among uses surrounding the County's established towns and villages.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.
 - Action 3.4.2: Encourage mixed-use developments along existing and planned infrastructure to reduce transportation needs.
- Recommendation 3.6: Provide for the orderly development of major transportation routes such that disruption of free flow of traffic on major arteries is minimized.
 - Action 3.6.1: Minimize commercial strip development characterized by numerous driveway access points and disconnected uses.

Buck Mims, Chair
Moore County Planning Board

Date